REMARKS

The Office Action of September 30, 2009, has been carefully studied. Claims 1-3, 5, 6, 10-13 and 16-20 currently appear in this application. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration and formal allowance of the claims.

Claim Amendments

Claim 1 has been amended to recite a functional powdery product which is prepared by allowing a carrier to adsorb a vitamin glycoside by dissolving the vitamin glycoside in an aqueous solvent containing the carrier in suspended form, whereby the vitamin glycoside is homogeneously supported on the surface of the carrier. Support for this amendment can be found in the specification as filed at page 8, line 19 to page 9, line 5 and Examples 1 to 7.

Claim 2 has been amended to limit the vitamin glycoside to ascorbic acid or vitamin P glycoside.

Claim 3 has been amended to limit the vitamin P glycoside to quercetin glycoside.

Claim 5 has been amended to limit the carrier to saccharide powder or protein powder.

Claim 6 has been amended to limit the saccharide powder to cellulose powder in a sphere form.

Support for the amendments made to claims 5 and 6 can be found in the specification as filed at page 11, lines 6-15.

Art Rejections

Claims 1-3, 5, 6, 9-13 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurisaki et al., US 5,024,831 in view of Backhaus, DE 439486 and Tanabe et al., WO 2004/071472, of which US 2007/0005302 is used as a translation.

The Examiner states that Kurisaki teaches a functional powdery product (i.e., a solid powder cosmetic foundation) having a carrier (specifically, cellulose in the form of a sphere) having a surface coated with (i.e., homogeneously supports) hyaluronic acid. The Examiner asserts that it would have been prima facie obvious to replace hyaluronic acid in the cosmetic formulation taught by Kurisaki with a vitamin glycoside such as rutin, in view of Backhaus, to inhibit hyaluronidase such that the action of the hyaluronic acid occurring naturally in the skin is maintained (i.e., providing the same effect as applying hyaluronic acid), with a reasonable expectation of success.

This rejection is respectfully traversed.

The functional powder product of claim 1 is prepared by allowing a carrier to adsorb a vitamin glycoside by dissolving the vitamin glycoside in an aqueous solvent containing the carrier in suspended form, whereby the vitamin glycoside is homogeneously support on the surface of the carrier.

It should be noted that the functional powdery product prepared in such a manner as recited in claim 1 has unexpected advantages in that the vitamin glycoside can function more effectively when it is supported on the surface of the carrier than if it were not supported on a carrier.

Attention is directed to Experiments 1 and 2 on pages 38-40 of the present specification. These examples demonstrate that the cellulose powder supporting glycosyl-rutin exhibited lower reflection of ultraviolet light in the range of UV-A and UV-B as compared with cellulose powder alone or a simple mixture of cellulose powder and glycosyl-rutin. These results are unexpected.

In contrast to these unexpected results, there is nothing in Kurisaki that teaches a functional powdery product prepared as recited in claim 1. Kurisaki merely discloses a method for preparing a powdery cosmetic foundation, a hybridization method using "NHS" only. "NHS" is produced by NARA MACHINERY CO., LTD. According to the web site of this company, a copy of which is attached, "NHS" is a technology for surface modification and preparation of composite materials of fine particles by a dry powder process. The raw materials are dispersed in a high speed air glow and processed by mechanical impact force.

It is therefore clear that the powder cosmetic foundation of Kurisaki is prepared by a completely different process than the functional powdery product of claim 1. As evidenced by Examples 1 and 2 in the specification, the herein claimed process results in a powdery functional product that is unexpectedly superior to a mere mixture of the components.

Furthermore, there is nothing in Kurisaki that teaches that vitamin glycosides such as glycosyl-rutin can be homogeneously supported on the surface of cellulose with the NHS method. There is nothing in Kurisaki that teaches that vitamin glycoside can function more effectively when it is supported on the surface of cellulose as prepared by the method recited in claim 1 than as the glycoside itself.

Backhaus adds nothing to Kurisaki, because Backhaus teaches nothing about the functional powdery product of claim 1. Backhaus merely discloses that flavonoids such as rutin or quercetin can be used in skin care agents. There is no suggestion of producing a powdery functional substance as claimed herein. Combining Backhaus with Kurisaki would only result in a composition in which the particles are mixed together, and the active ingredient can be rutin. This does not result in the unexpectedly superior particles claimed herein.

Tanabe also has nothing to do with the functional powdery product claimed herein. While Tanabe discloses skin preparations containing sugar derivative of α,α-trehalose, there is nothing in Tanabe that suggests producing a powdery functional product as claimed herein.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Respectfully submitted,

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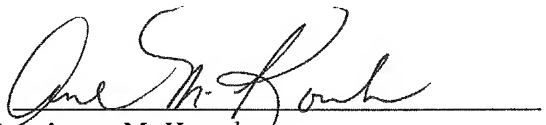
By 
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